

EXHIBIT K

MEETING OF THE WISCONSIN
ELECTIONS COMMISSION

May 20, 2020



AGENDA ITEM A:

Call To Order

Roll call:

- Marge Bostelmann
- Julie Glancey
- Ann Jacobs
- Robert Spindell
- Mark Thomsen
- Dean Knudson



AGENDA ITEM B:

Administrator's Report of Meeting Notice

Administrator Wolfe reports on the notice of today's meeting in accordance with open meeting laws.



AGENDA ITEM C:

Discussion Of Absentee Ballot Report For April 7 Spring Election And Presidential Preference Primary

WEC Staff Presenters:

- Meagan Wolfe, Administrator
- Robert Kehoe, Technology Director
- Sara Linski, IT Project Manager





Absentee Ballot Report Facts & Findings

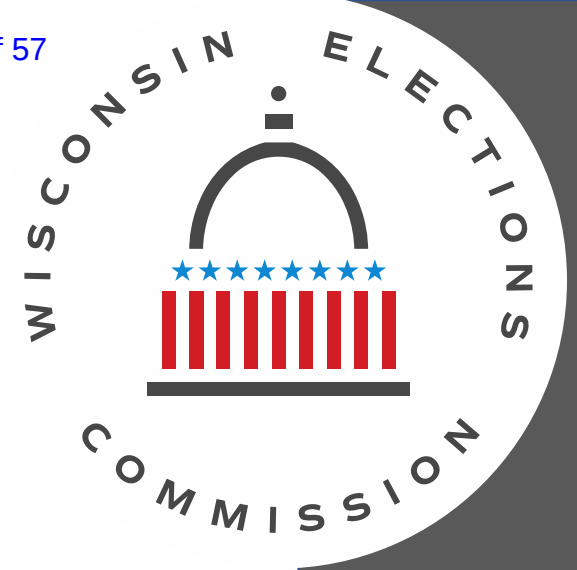
Agenda Item C:

Discussion Of Absentee Ballot Report
For April 7 Spring Election
and Presidential Preference Primary

Absentee Report Discussion (1 of 5)

In what ways was the April 7, 2020, absentee voting experience different than in previous elections?

- Most by mail ballots ever cast in any Wisconsin election
- Most absentee ballots ever cast in any Wisconsin election
- Second most total ballots ever cast in a Wisconsin Spring Election
- Most in-person absentee ballots in a Wisconsin Spring Election.



Agenda Item C:

Discussion Of Absentee Ballot Report
For April 7 Spring Election
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Absentee Report Discussion (2 of 5)

What can we learn about absentee ballots not returned to clerks or rejected after return?



Table 6.

Absentee Ballots Rejected

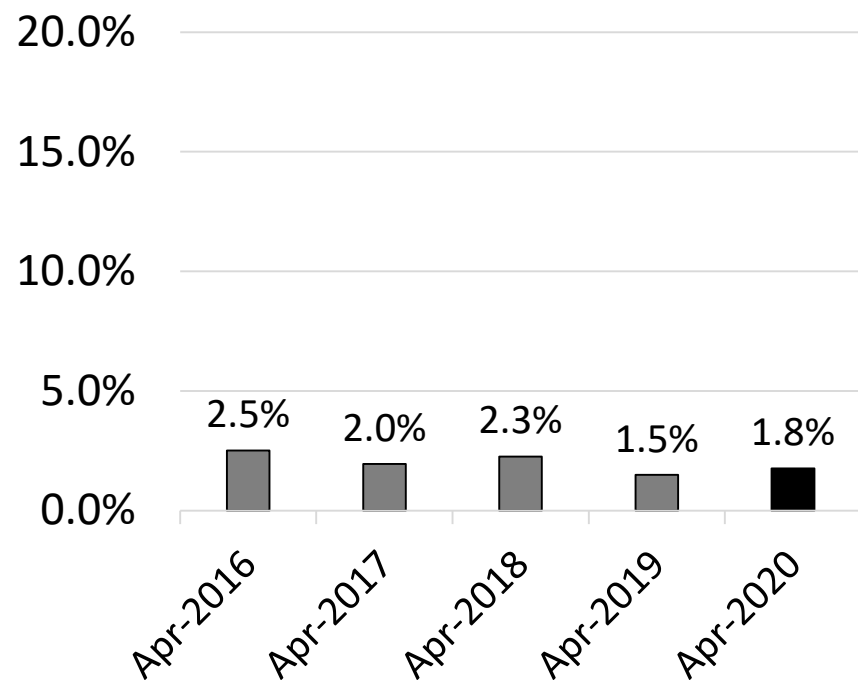
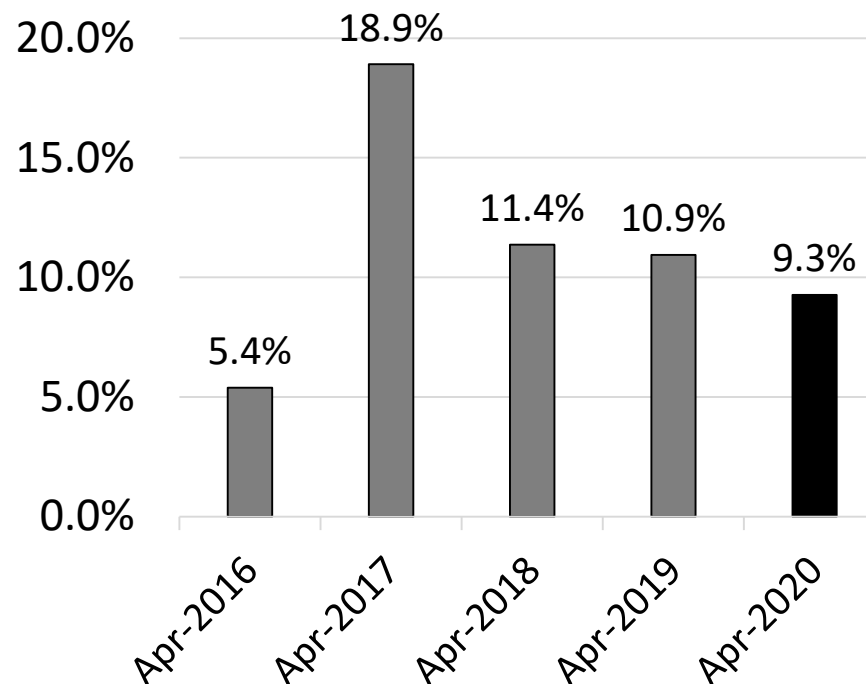


Table 7.

Absentee Ballots Not Returned

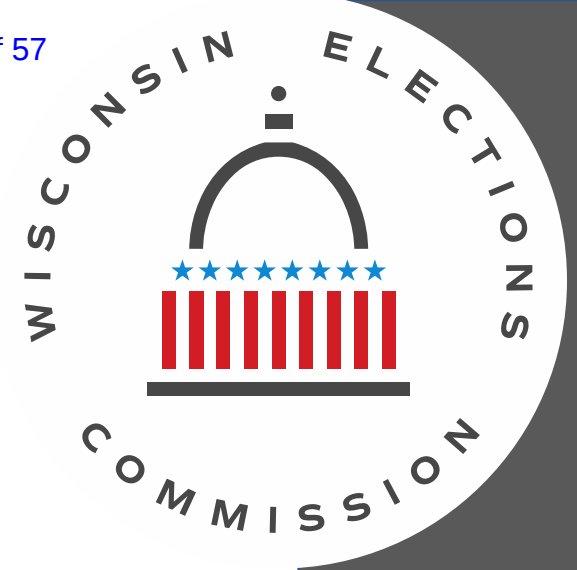
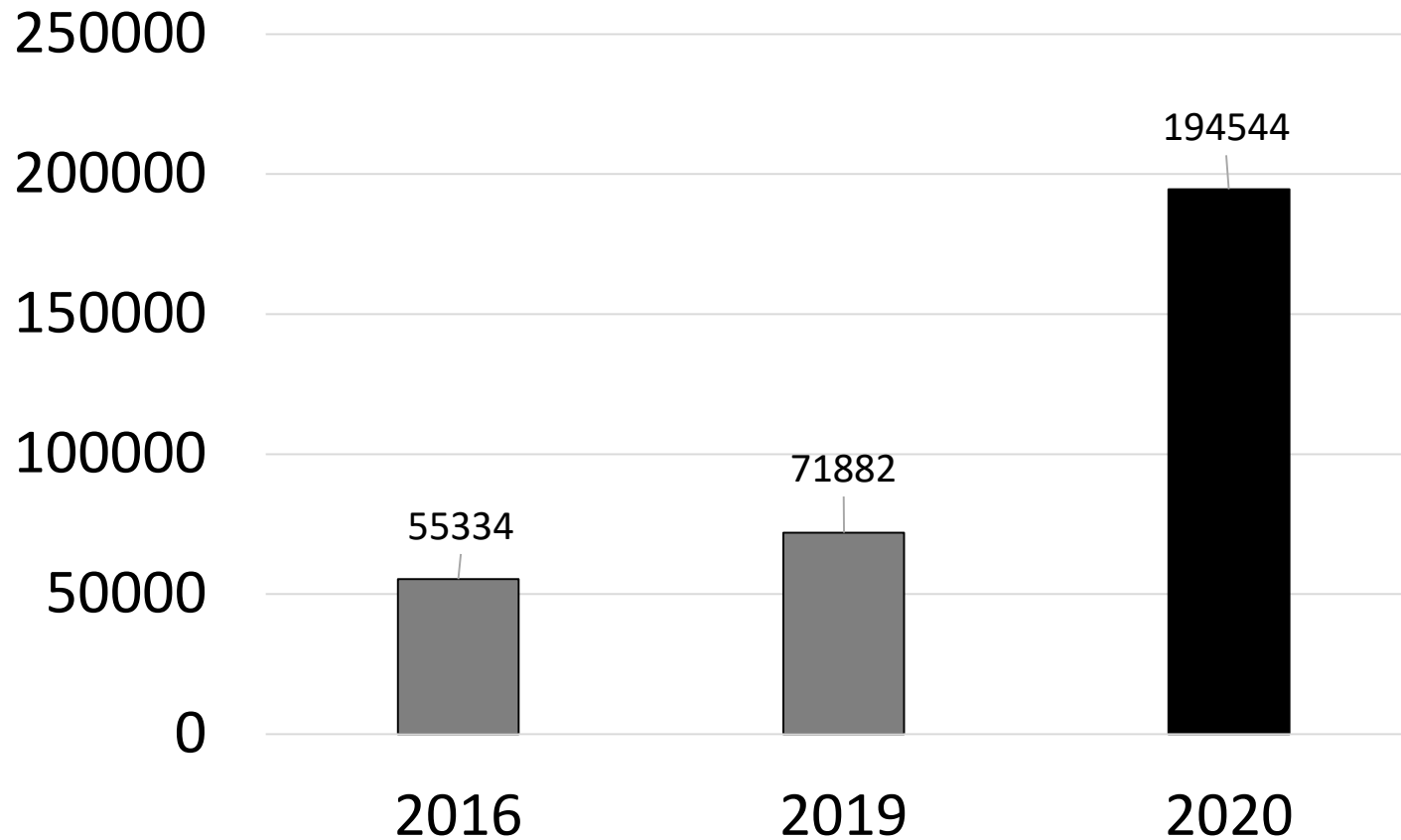


Agenda Item C:

Discussion Of Absentee Ballot Report
For April 7 Spring Election
and Presidential Preference Primary

Absentee Report Discussion (3 of 5)

Indefinitely Confined Voters



Agenda Item C:

Discussion Of Absentee Ballot Report
For April 7 Spring Election
and Presidential Preference Primary

Absentee Report Discussion (4 of 5)

What problems did the absentee process encounter in elections systems or the postal system?

- Clerk processing challenges
- Mail process difficulties
- Internal technical review
- Voter understanding and experience



Agenda Item C:

Discussion Of Absentee Ballot Report
For April 7 Spring Election
and Presidential Preference Primary

Absentee Report Discussion (5 of 5)

How can election officials improve the absentee voting process to ensure accuracy and efficiency?

- Absentee Ballot Requests
- Absentee Ballot Tracking and Mailing
- Reports and Auditing



Agenda Item C:

Discussion Of Absentee Ballot Report
For April 7 Spring Election
and Presidential Preference Primary



Absentee Ballot Report Recommendations

Agenda Item C:

Discussion Of Absentee Ballot Report
For April 7 Spring Election
and Presidential Preference Primary

Partners and Approach

- User-Centered Design
 - Improvements must be made based on clerk and voter feedback.
 - **Voters:** remote usability sessions
 - **Clerks:** convene several committees meeting on at least a weekly basis for distinct purposes
- Expert Advice
 - Improvements must be made with the guidance and advice of content area experts.
 - **United States Postal Service (USPS)**
 - **Center for Civic Design:** non-profit organization dedicated to user-friendly design for elections products
 - **Democracy Works:** non-profit organization dedicated to support voters and election officials



Agenda Item C:

Discussion Of Absentee Ballot Report
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Areas of Focus

- Absentee Ballot Requests
- Absentee Ballot Tracking and Mailing
- Reports and Auditing



Agenda Item C:

Discussion Of Absentee Ballot Report
For April 7 Spring Election
and Presidential Preference Primary

Ballot Request Process

Goal 1: Provide equal opportunity to all voters to successfully request an absentee ballot.

- Improve paper absentee ballot request form (EL-121)
- Improve usability of MyVote request process specifically regarding photo ID upload.

Goal 2: Reduce absentee request processing time required by the clerk's office.

- Implement a “pending request” record in WisVote for absentee applications requiring photo ID review.
- Provide tools for clerks to communicate request insufficiencies to voters.



Agenda Item C:

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Mailing and Ballot Tracking

Goal 1: Provide enhanced transparency to voters and clerks on the status and location of an absentee ballot.

- Implement Intelligent Mail Barcodes (IMBs) on outgoing and incoming absentee ballot envelopes and display near real-time status and location information provided by USPS in WisVote and MyVote.

Goal 2: Reduce absentee ballot envelope processing errors at the post office and at the point of certification.

- Revise the current absentee ballot envelope with USPS design input.
- Revise the absentee envelope language and format for voter ease of use.



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Reports and Audit Tools

Goal 1: Simplify absentee ballot processes in the voter registration system.

- Reduce number of entry points and methods for tracking absentee requests and ballots.
- Provide training opportunities on absentee processing in WisVote and other best practices.

Goal 2: Catch issues before they become problems.

- Explore vendors options for testing automation, enhanced issue logging and tracing, and automated alerts of potential issues or anomalies.
- Provide reports to clerks to flag potential issues.



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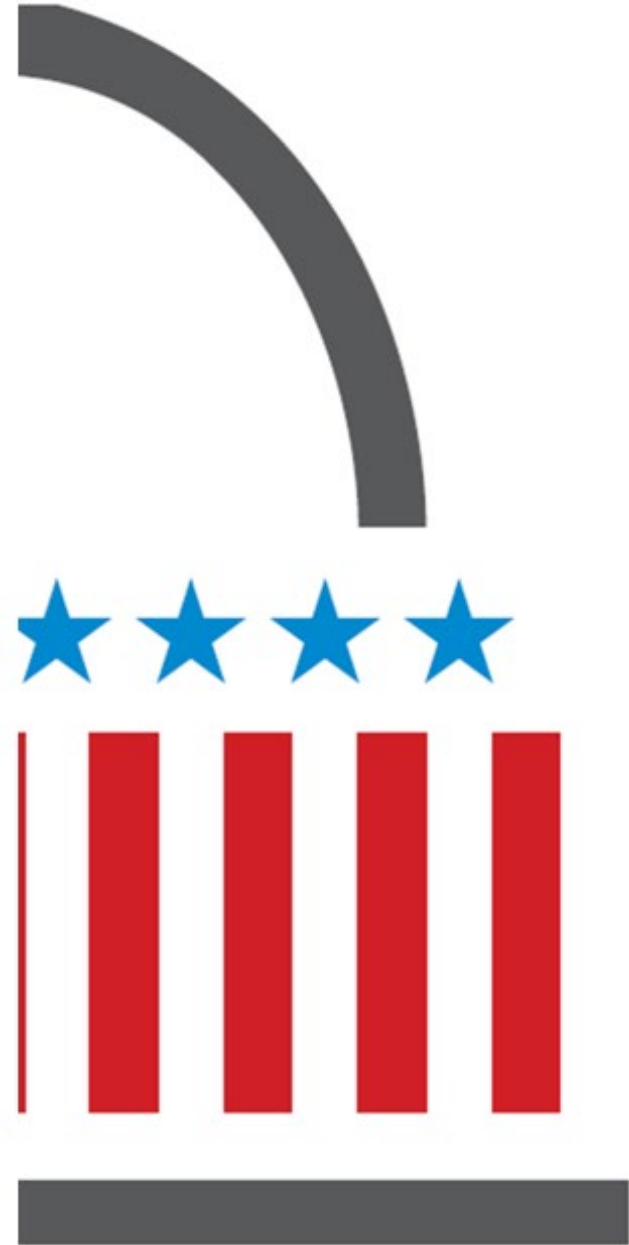
Absentee Ballot Report Questions

Agenda Item C:

Discussion Of Absentee Ballot Report
For April 7 Spring Election
and Presidential Preference Primary

AGENDA ITEM D:

Discussion of Federal CARES Grant



WEC Staff Presenters:

- Meagan Wolfe, Administrator
- Ahna Barreau, WisVote Specialist
- Brianna Hanson, Elections Specialist
- Michelle Hawley, Program Specialist



Background

Allocation of \$7,332,471 to the State of Wisconsin Elections Commission

Match of 20% or \$1,466,494 within two years of receiving funds

Grant funds can be used on expenditures starting March 28, 2020 and cannot be spent after December 21, 2020.

Grant Purpose

As authorized under Section 101 of the Help America Vote Act of 2002 (P.L. 107-252) (HAVA) and provided for in the CARES Act, 2020 (Public Law 116-136), the purpose of this award is to “prevent, prepare for, and respond to coronavirus, domestically or internationally, for the 2020 Federal election cycle.”

Agenda Item D:

Discussion of Federal CARES Act
Grant



Subgrant for Postal Expenses

Agenda Item C:

Discussion Of Absentee Ballot Report
For April 7 Spring Election
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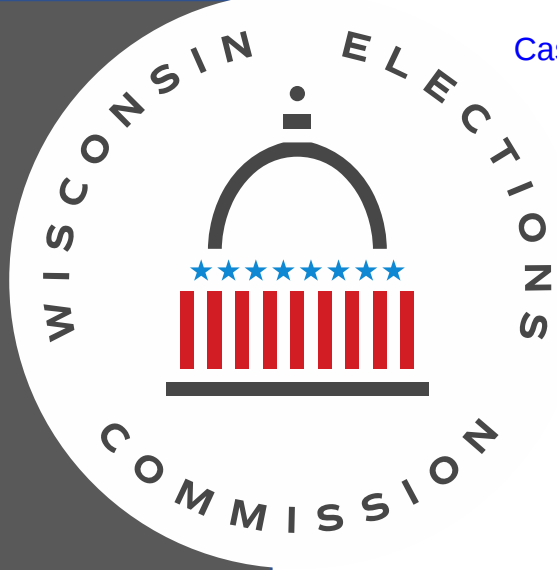
Postal Expenses Subgrant (1 of 2)

- An increase in absentee requests lead to more postage costs on the municipalities
- Wis. Stat. § 6.87(3)(a) requires returned postage be provided
- \$1.10 per/voter allocation to offset those costs
- Recommendation of \$2.6 million allocated to municipalities

Statewide Registered Voters:	Estimated Postage Costs for Aug '20	Estimated Postage Costs for Nov '20	Total estimated postage costs for rest of 2020
3,415,026	\$460,780.28	\$2,151,260.99	\$2,612,041.27

Agenda Item D:

Discussion of Federal CARES Act Grant



Postal Expenses Subgrant (2 of 2)

Requirements

No application requirement but jurisdictions must observe all federal grant requirements

No receipts or expense reports need to be sent to WEC, but should be maintained

After postage costs are met, leftover funds may be used for other allowable expenses

Timeline

Check to be mailed by June 30th

Agenda Item D:

Discussion of Federal CARES Act
Grant



Absentee Mailing

Agenda Item C:

Discussion Of Absentee Ballot Report
For April 7 Spring Election
and Presidential Preference Primary



Absentee Mailing

A Voter Education Program:

- Some new to the absentee ballot process experienced difficulties leading up to the April 2020 election.
- Mailing to explain the absentee voting process:
 - What are the legal requirements to vote absentee in Wisconsin?
 - How to request an absentee ballot on MyVote Wisconsin?
 - How to request an absentee ballot through the paper process?
- 2.7 million registered voters at an estimated cost of \$2.1 million

Agenda Item D:

Discussion of Federal CARES Act
Grant



Absentee Envelope Redesign

Agenda Item C:

Discussion Of Absentee Ballot Report
For April 7 Spring Election
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324-jlp Absentee Ballot Return Certification

Voter Information Date of Election (mm/dd/yyyy)

☐ City ☐ Village ☐ Town
Municipality check type and list name

Voter Name (last, first, middle)

Street Address

County City

WI State Zip Ward ☐ Ald. District ☐

Certification of Voter (required)

I certify, subject to the penalties for false statements of Wis. Stat. § 12.60(1)(b), that:

- I am a resident of the ward or of the aldermanic district of the municipality in the county of the state of Wisconsin indicated hereon
- I am entitled to vote in the ward or aldermanic district at the election indicated hereon
- I am not voting at any other location in this election
- I am unable or unwilling to appear at the polling place in the ward on election day, or I have changed my residence within the state from one ward to another later than 10 days before the election
- I exhibited the enclosed ballot, unmarked, to the witness
- I then in the presence of the witness and in the presence of no other person marked the ballot and enclosed and sealed the ballot in this envelope in a manner that no one but myself and any person providing assistance under Wis. Stat. § 6.87(5), if I requested assistance, could know how I voted

X
voter signature

date of birth (military voters and overseas voters only)

Certification of Assistant (if applicable)
If assistant is also serving as witness, please sign in both fields

I certify that the voter named on this certificate is unable to sign their name or make their mark due to a physical disability and that I signed the voter's name at the direction and request of the voter

X
assistant signature

Certification of Witness (required)

I certify, subject to the penalties for false statements of Wis. Stat. § 12.60(1)(b), that:

- I am an adult U.S. Citizen
- The above statements are true and the voting procedure was executed as stated
- I am not a candidate for any office on the enclosed ballot (except in the case of an incumbent municipal clerk)
- I did not solicit or advise the voter to vote for or against any candidate or measure
- I further certify that the name and address of the voter is correct as shown

witness printed name

X
witness signature

witness address

official use only Special Voting Deputy 2 (printed name, signature, address)

Voter exempt from or has met PCI requirement ☐ Voted in clerk's office ☐

**Absentee
Ballot
Return
Envelope**

**Ballot must arrive
by 8 p.m. on
Election Day**

Return Envelope
#12 standard
4.75" by 11"



City Clerk
210 Martin Luther King Jr Blvd, Room 210
Madison, WI 53703

Agenda Item D:

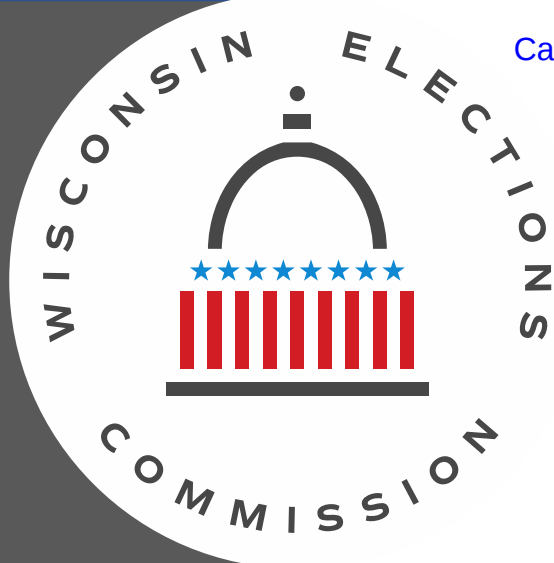
Discussion of Federal CARES Act
Grant



Certification of Voter (required)	
I certify, subject to the penalties for false statements of Wis. Stat. § 12.60(1)(b), that:	
<ul style="list-style-type: none">• I am a resident of the ward or of the aldermanic district of the municipality in the county of the state of Wisconsin indicated hereon• I am entitled to vote in the ward or aldermanic district at the election indicated hereon• I am not voting at any other location in this election• I am unable or unwilling to appear at the polling place in the ward on election day, or I have changed my residence within the state from one ward to another later than 10 days before the election• I exhibited the enclosed ballot, unmarked, to the witness• I then in the presence of the witness and in the presence of no other person marked the ballot and enclosed and sealed the ballot in this envelope in a manner that no one but myself and any person providing assistance under Wis. Stat. § 6.87(5), if I requested assistance, could know how I voted	
X	
voter signature	
	date of birth (military voters and overseas voters only)

Agenda Item D:

Discussion of Federal CARES Act
Grant



Cost per 1,000 Envelopes at 5 million quantity

Envelope #	2-sided printing 3 colors
Per 1,000 Envelopes at 5 million envelope quantity	
#14 (transmittal)	\$23.74
#12 (return)	\$23.16 + \$14.78 for self-adhesive

Total cost for 2.8 million #14 and 2.8 million #12 Envelopes (Without Shipping Expenses)

Envelope #	2-sided printing 3 colors (including black)
Vendor #1	
#14 (transmittal)	\$66,472
#12 (return)	\$66,848 + \$41,384 for self-adhesive
Total	\$174,704

Agenda Item D:

Discussion of Federal CARES Act
Grant



Timeline

May 27

Finalize envelope design and voter/clerk usability testing.

June 19

Send to printer, get envelopes.

June 22

Distribute to counties.

Municipalities can get them with the August ballots.

June 25

Full implementation by UOCAVA deadline for August.

Agenda Item D:

Discussion of Federal CARES Act
Grant



Fall Election Cycle Supplies

Agenda Item C:

Discussion Of Absentee Ballot Report
For April 7 Spring Election
and Presidential Preference Primary

Election Supplies

- Sanitation supplies procured and disseminated to support over 2,000 polling places on Election Day in April
- Cost for April totaled approximately \$150,000
- Expectation that requested supplies for August and November could cost upwards of \$500,000
- To be best prepared, recommend preparation for August and November Elections begin as soon as possible



Agenda Item C:

Discussion Of Absentee Ballot Report
For April 7 Spring Election
and Presidential Preference Primary



Recommended Motion:

The Commission approves the recommended plan and expenditures outlined above to improve the absentee voting process and assist local election officials with costs to be funded by the CARES Act.

\$2,600,000	Subgrant for Postal Expenses
\$2,100,000	Absentee Mailing
\$ 133,320	Absentee Envelope Redesign
\$ 500,000	Fall Election Cycle Supplies
<hr/>	
\$5,333,320	TOTAL

Agenda Item D:

Discussion of Federal CARES Act
Grant

AGENDA ITEM E:

Discussion of ERIC Data and Mailings for 2020

WEC Staff Presenters:

- Meagan Wolfe, Administrator



Table 1: Current Status of All 232,579 ERIC Voters Sent a Movers Mailing in 2019

All Movers Current Status	Voter Count	Percentage of Mailing
Active – Movers	129,151	55.53%
Active – Registered	61,797	26.57%
Inactive	41,637	17.9%
Total Records	232,579	100%

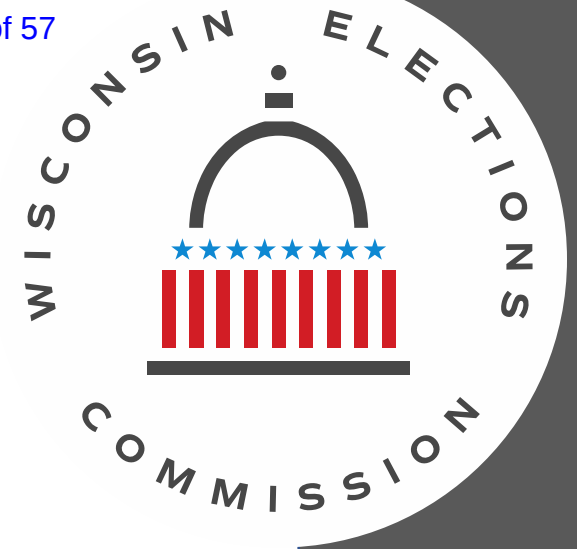
Table 2: Movers List Recipients Who Updated Their Registration

Movers List Voter Registrations	Voter Count	Percentage of Mailing
Voters who updated or affirmed their registration at same address	4,709	2%
Voters who updated their registration at new address	57,088	24.57%
Total Voters with Updated Address Records	61,797	26.57%

Table 3: Voting Data – Movers Who Requested Continuation and Voted Absentee

Movers List Voter Absentee Participation – Requested Continuation at the Movers List Address	February Count	April Count
Voted absentee by mail	192	2742
Voted absentee in person	73	454
Voted absentee through a Special Voting Deputy (SVD)*	82	88
Total	347	3284

**Please note that for the April 7 election in-person SVD voting in care facilities was suspended. Some clerks still use this code to track by mail ballots issued to facilities typically served by SVD's.*



Agenda Item E:

Discussion of ERIC Data and Mailings for 2020

2020 Eligible But Unregistered (EBU) Mailing

- Required to reach out to voters who appear in DMV database as eligible to vote, but are not registered to vote
- Required to contact 95% of voters on the list prior to Oct. 1 in General Election Year
- WEC staff plans to work with ad agency to develop mailer that points voters to MyVote to register but also give them option to register and request an absentee by mail
- Mailing budgeted for this fiscal year, so will be completed and sent by June 30



Agenda Item E:

Discussion of ERIC Data and
Mailings for 2020

2020 Movers Mailing

- Required to send to voters with a different address on file with DMV vs. voter record every 18 months
- Budgeted for next fiscal year
- Will send once participation has been recorded for November 2020 election
- Plan for next Movers mailing and for next steps with 2019 records to be presented to and considered by Commission at meeting in late 2020



Agenda Item E:

Discussion of ERIC Data and
Mailings for 2020



Questions

Agenda Item C:

Discussion Of Absentee Ballot Report
For April 7 Spring Election
and Presidential Preference Primary

AGENDA ITEM F:

Request by ES&S for ExpressVote Testing

WEC Staff Presenters:

- Meagan Wolfe, Administrator
- Richard Rydecki, Assistant Administrator



Background

- At its September 24, 2019 meeting, the Commission approved EVS 6.0.4.0 and EVS 6.0.5.0 for use in Wisconsin
- The hardware and software in these systems were approved, with the exception of the ExpressVote Tabulator (EVT), which did not require the voter to manually review the ballot card prior to casting it
- In EVS 6.0.4.3, the EVT has been updated to require a review of the ballot card, which meets the provisions of Wis. Stat. § 591(15) and (18)

Agenda Item F:

Request by ES&S for ExpressVote
Testing

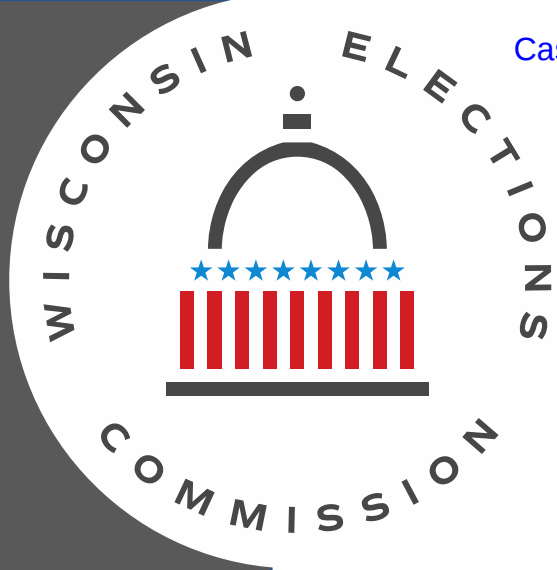


Considerations

- As of 5/18/2020, Taylor County has moved forward with purchasing the ExpressVote (non-tabulating) and DS200 for 16 of its municipalities and is content postponing 6.0.4.3 testing until next year, at which time it will implement the EVT in the remaining 11 municipalities
- Throughout 2019, staff dedicated significant time and resources to successfully test and certify five separate ES&S voting systems

Agenda Item F:

Request by ES&S for ExpressVote
Testing



Considerations (cont.)

- In conversations with ES&S, staff have reiterated multiple times that, based on agency priorities and normal election year considerations, a test campaign for a new system version would not be appropriate during 2020
- Completing a certification campaign this year would be challenging in ideal circumstances, but will be even more so given the current public health considerations

Agenda Item F:

Request by ES&S for ExpressVote
Testing



Recommended Motion:

Postpone testing and Commission consideration of EVS 6.0.4.3 until the spring of 2021

- Staff does not support conducting a full test campaign to certify 6.0.4.3 at this time
- This is in line with previous discussions with ES&S and reflects both the current environment and extant staff obligations during a general election cycle

Agenda Item F:

Request by ES&S for ExpressVote
Testing

AGENDA ITEM G:

Approve Ballot Templates for August and November Elections

WEC Staff Presenters:

- Cody Davies, Election Specialist



Partisan Primary Ballot Proofs

The following proofs have been provided for the Commission's approval:

- Optical scan (both arrow and oval versions)
 - Ballot with all offices/referenda
 - Federal-only ballot
- Hand-count paper ballots
 - Regular ballot (to be customized for each party)
 - Federal-only ballot
 - Instruction sheet
 - Generic ballot (for political parties without ballot candidates)



Agenda Item G:

Approval of Ballot Templates for
August and November Elections

Special Considerations

- Partisan Primary elections require clear demarcations between party sections and additional instruction to voters:
 - a clear reminder that a voter may only vote in a single party's primary
 - only votes cast within a chosen party will be counted
 - not choosing a party and voting across multiple parties will result in no votes being counted
- Proofs are specific to the Partisan Primary. General Election ballot proofs will be presented for the Commission's review and approval at its June 10th meeting



Agenda Item G:

Approval of Ballot Templates for
August and November Elections



Recommended Motion:

The Commission approves the ballot design presented by staff and directs staff to utilize the ballot design for the 2020 Partisan Primary.

Agenda Item G:

Approval of Ballot Templates for
August and November Elections

AGENDA ITEM H:

Update on Cross-State Voting Matches and District Attorney Referrals

WEC Staff Presenters:

- Nate Judnic, Attorney
- Reid Magney, Public Information Officer



District Attorney Referrals

- In March, the Commission directed staff to refer 43 suspected cases of cross-state voting in the November 2018 election to District Attorneys.
- The suspected cases resulted from matches obtained through Wisconsin's participation in ERIC.
- Staff has answered questions from District Attorneys and investigators about the applicable law and associated penalties and the source of the documents included with the referral.

Agenda Item H:

Update on Cross-State Voting
Matches and District Attorney
Referrals



District Attorney Referrals (continued)

Staff has received notice from two District Attorneys that they will not be filing charges as a result of the referral:

1. In one county, the District Attorney indicated that after investigation, it was likely that there was a case of stolen identity in the other State, and therefore no charges would be brought.
2. In another county, the District Attorney indicated that after investigation, it was likely that the individual had in fact voted in Wisconsin and another State during the November 2018 election, however the subject has since died, and therefore no charges would be brought.

Agenda Item H:

Update on Cross-State Voting
Matches and District Attorney
Referrals



District Attorney Referrals (continued)

- Staff will continue to provide updates to the Commission as needed when new information is received from District Attorneys on these referrals.

Public records requests

- The Commission has received requests under the public records law for referral information.
- Commission staff have fulfilled those public records requests and provided a chart detailing the referrals.

Agenda Item H:

Update on Cross-State Voting
Matches and District Attorney
Referrals



Questions

Agenda Item C:

Discussion Of Absentee Ballot Report
For April 7 Spring Election
and Presidential Preference Primary

Mike Haas Departure

AGENDA ITEM I: Closed Session

Litigation Updates (§ 19.85 (1) (g))

The Commission may confer with legal counsel concerning litigation strategy.





Chair asks for a motion and second to go into closed session and then calls the roll call vote:

- Marge Bostelmann
- Julie Glancey
- Ann Jacobs
- Robert Spindell
- Mark Thomsen
- Dean Knudson

Agenda Item I:

Approval of Ballot Templates for
August and November Elections

Agenda Item I:

Closed Session

MEETING OF THE WISCONSIN
ELECTIONS COMMISSION

May 20, 2020



Absentee Report Discussion

Indefinitely Confined Voters: Supplemental Data

	2016		2019		2020	
Milwaukee	5931	11%	6436	9%	23379	12%
Madison	2301	4%	2794	4%	8993	5%
Rest of State	47102	85%	62652	87%	162172	83%
Total	55334	100%	71882	100%	194544	100%